

(32)

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE P. JAMES

Plaintiff

: Civil Action No.1:CV-01-1015

: Judge Kane

v.

YORK COUNTY POLICE DEPT.,  
ET AL.,

Defendants

FILED  
SCRANTON

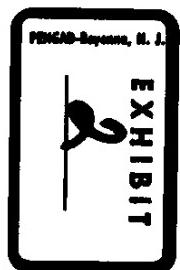
DEC 13 2001

PER \_\_\_\_\_  
DEPUTY CLERK

**REQUEST FOR PRODUCTION OF DOCUMENTS:**

Plaintiffs request, pursuant to Rule 34 of the Federal Rules of Civil Procedure, That Defendants, YORK COUNTY POLICE DEPT., ET AL., who have the documents Plaintiff want to see , produce for inspection and copying the following documents:

1. Complete, accurate, and legible copies of all official records reflecting departmental disciplinary action against all Police officers/ Agents, who were in any way connected with the Investigation and prosecution in this case.



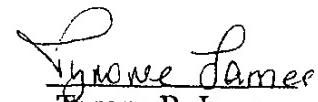
2. All rules, regulations and policy pertaining to "Standard Police Procedure" on search and seizure, and arrest.
3. All written statements, originals or copies, identifiable as reports of statements by Agents , police and civilian manager and employees at the Mail Box Etc.
4. All pertinent transcription(s), communication reports, facsimiles, memos, phone log(s), between California Officials, and Pennsylvania Officials involved in this case.
5. All information, original or copies, of Application for Probable Cause, Affidavit in conjunction with Application for Search Warrant concerning the Seizure of said Evidence at Mail Boxes Etc.
6. Any and all investigative information of record leading to the Seizure of all said evidence in this case.
7. Any and all receipts showing of record that said evidence was in fact a matter of mail material from California, to Pennsylvania. Also, names, and titles of those responsible parties for the shipping of said evidence from one jurisdiction to another, and the Court Order; [ copy, or original ] , permitting of such action.

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PLEASE TAKE NOTICE that the above requested documents shall be produced for inspection and copying at the York County Prison, Pennsylvania, prior to any dates set forth for Court Proceedings.

Date: December 9, 2001

Respectfully,

  
\_\_\_\_\_  
Tyrone P. James,  
Plaintiff's Pro-se  
3400 Concord Rd.  
York, PA 17402  
# 62154

X

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**TYRONE P. JAMES,**

**Plaintiff :** :  
: **No. 1:CV-01-1015**

**v.**

**YORK COUNTY POLICE** : **(Judge Kane)**  
**DEPARTMENT; AGENT JAMES H.** : **(Magistrate Judge Mannion)**  
**MORGAN; DET. RICHARD** :  
**PEDDICORD; DET. RAYMOND E.** :  
**CRAUL; SGT. GENE FELLS; DET.** :  
**ROBERT KESSLER; DET. ANTHONY** :  
**GLOWCZEWSKI; AGENT RANDY** :  
**SIPES; and AGENT BRIAN** :  
**WESTMORELAND,** :

**Defendants :**

**DEFENDANTS' RESPONSE TO PLAINTIFF'S  
REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendants James H. Morgan, Richard Peddicord, Raymond E. Craul, Gene Fells, Anthony Glowczewski, Robert Kessler and Brian Westmoreland, by their attorneys, hereby respond as follows to Plaintiff's request for production of documents.

**GENERAL OBJECTIONS**

1. Defendants **OBJECT** to each and every document request that is vague, ambiguous, unclear, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

calculated to lead to the discovery of admissible evidence.

2. Defendants **OBJECT** to Plaintiff's request for privileged information including, but not limited to, information covered by the executive privilege, attorney-client privilege, or the work product doctrine.

3. Defendants **OBJECT** to each document request that seeks information or documents that are not in possession, custody, or control of Defendants.

4. All of Defendants' specific objections are made subject to and without waiving any of these general objections.

**REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Complete, accurate, and legible copies of all official records reflecting departmental disciplinary action against all police officers/agents, who were in any way connected with the investigation and prosecution in this case.

**RESPONSE:** Defendants OBJECT to this request because there was no disciplinary action taken against any of the Defendants as a result of this case.

2. All rules, regulations and policy pertaining to "Standard Police Procedure" on search and seizure, and arrest.

**RESPONSE:** Defendants OBJECT to this request because it is vague and ambiguous. Plaintiff has not identified with particularity the documents which he seeks.

**3. All written statements, originals or copies, identifiable as reports of statements by agents, police and civilian manager and employees at the Mail Box, Etc.**

**RESPONSE:** Defendants do not object to this request and in response refer plaintiff to the following:

Attachment 1. City of York Police Department Report.

Attachment 2. Pennsylvania Office of Attorney General Bureau of Narcotics Investigation and Drug Control ("BNI") investigative report<sup>1</sup>.

Attachment 3. Arrest Warrant for Tyrone James.

**4. All pertinent transcription(s), communication reports, facsimiles, memos, phone log(s), between California officials, and Pennsylvania officials involved in this case.**

**RESPONSE:** Defendants OBJECT to this request because the documents requested do not exist. By way of further explanation, although there

were phone calls made between Pennsylvania and California law enforcement officers, these calls were not transcribed. However, the substantive content of these phone calls are noted in the attached BNI investigative report<sup>2</sup>.

**5. All information, original or copies, of Application for Probable Cause, Affidavit in conjunction with Application for Search Warrant concerning the Seizure of said evidence at Mail Boxes Etc.**

**RESPONSE:** Defendants do not object to this request and in response refer plaintiff to the following:

Attachment 4. Application for Search Warrant and supporting Affidavit of Probable Cause dated 1/10/01.

Attachment 5. Affidavit of Probable Cause dated 1/10/01.

Attachment 6. Office of Attorney General evidence and property record.

Attachment 7. K-9 unit certification.

**6. Any and all investigative information of record leading to the Seizure of all said evidence in this case.**

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<sup>1</sup> This BNI report, which is a comprehensive overview of this matter, including photographs, affidavits

<sup>2</sup> Attachment 2.

<sup>2</sup> Attachment 2.

**RESPONSE:** Defendants do not object to this request and in response refer plaintiff to the following:

- Attachment 1. York County Police Criminal Complaint.
- Attachment 2. Pennsylvania Office of Attorney General Bureau of Narcotics Investigation and Drug Control Investigative Report.
- Attachment 4. Application for Search Warrant and supporting Affidavit of Probable Cause dated 1/10/01.
- Attachment 8. York County Receipt/Inventory of seized property.
- Attachment 9. York County Drug Task Force Supplemental Report.

**7. Any and all receipts showing of record that said evidence was in fact a matter of mail material from California, to Pennsylvania. Also, names, and titles of those responsible parties for the shipping of said evidence from one jurisdiction to another, and the Court Order; [copy, or original], permitting of such action.**

**RESPONSE:** Defendants OBJECT to the first part of this request on the grounds that it is vague and unclear. More specifically, Defendants are uncertain as to what "a matter of mail material" is. Defendants further OBJECT to this request on the grounds that it seeks documents that are not in the possession, custody or control of Defendants.

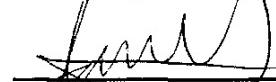
**General Instructions**

Plaintiff may inspect those documents which Defendants have agreed to produce as set forth in these responses. To arrange for inspection, the Plaintiff should submit a request slip to Jeffrey Rackovan, the Assistant Superintendent and he will arrange for the inspection at a mutually convenient time and place.

Plaintiff may obtain photocopies of the documents at his own expense. Charges for the photocopies will be in accordance with Department of Corrections Policy DC-ADM 003 and its procedures manual.

Respectfully submitted,  
**D. MICHAEL FISHER**  
Attorney General

By:

  
**JASON GURIANTANO**  
Deputy Attorney General  
I.D. #89177

**Office of Attorney General**  
**15<sup>th</sup> Floor, Strawberry Square**  
**Litigation Section**  
**Harrisburg, PA 17120**  
**(717) 787-9711**

**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
**Chief, Litigation Section**

**COUNSEL FOR DEFENDANTS**

**Dated: October 24, 2003**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: YORK

POLICE  
CRIMINAL COMPLAINT

Magisterial District Number:	19-02-01
District Justice Name: Hon.	harold D. Kessler
Address:	110 Pleasant Acres Road York, PA 17402
Telephone:	(717)840-7233
CR-25-01-400	
Docket No.:	
Date Filed: January 10, 2001	
OTN:	L 080216-3

COMMONWEALTH OF PENNSYLVANIA  
VS.

DEFENDANT:

NAME and ADDRESS

Tyrone Phillip James

565 W. Market Street  
3<sup>rd</sup> Flr.  
York, PA 17404

Defendant's Race/Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Hispanic <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. 05/18/1962	Defendant's Social Security Number 605-26-3818	Defendant's SID (State Identification Number)
Defendant's A.K.A. (also known as)		Defendant's Vehicle Information Plate Number      State	Registration Sticker (MM/YY)	Defendant's Driver's License Number State CA      C2083017
Complaint/Incident Number	Complaint/Incident Number if other Participants			UCR/NIBRS Code

District Attorney's Office  Approved  Disapproved because:

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth-Please Print or Type)	(Signature of Attorney for Commonwealth)	(Date)
I, Raymond E. Craul	16	
(Name of Affiant-Please Print or Type)	(Officer Badge Number/I.D.)	
of Springettsbury Twp. P.D.	PA0670400	
(Identify Department or Agency Represented and Political Subdivision)	(Police Agency or ORI Number)	(Originating Agency Case Number (OCA))

do hereby state: (check appropriate box)

- I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_
- I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at Mail Boxes Etc. 2536 Eastern  
(Place-Political Subdivision)

Boulevard in Springettsbury Township

in York County on or about 01/10/01 at approx. 1035 hrs.

Participants were: (if there were participants, place their names here, repeating the name of the above defendant)

Tyrone Phillip James

Defendant's Name:	Tyrone P. James
Docket Number:	CR-25-01-400
LTN L 080216 3	



**POLICE  
CRIMINAL COMPLAINT**

2. The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Criminal Attempt to Possession w/ the Intent to Deliver: Defendant did attempt to possess with the intent to deliver Marihuana, a Schedule I substance, and did take a substantial step toward the commission of said crime, knowing that he was not a practitioner registered or licensed to possess said substance.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1.	<u>901</u> (Section)	<u>(a)</u> (Subsection)	of the	<u>PACC</u> (PA Statute)	<u>1</u> (counts)
2.	<u>780-113</u> (Section)	<u>(a)(30)</u> (Subsection)	of the	<u>Act 64</u> (PA Statute)	<u>1</u> (counts)
3.			of the		
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.

1-10-01  
(Date)

R. De C  
(Signature of Affiant)

AND NOW, on this date, 1/10/2001 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

19-2-01  
(Magisterial District)

2-2

K. De C  
(Issuing Authority)

DUTY 19-3-06

**SEAL**

BNI-1

C  
BUREAU OF NARCOTICS INVESTIGATION  
AND DRUG CONTROL

## INVESTIGATIVE REPORT

CASE NO. 30003-01REGION NO. III

REPORT MADE	RELATED FILES	OTHER OFFICERS
AT: Harrisburg DATE: January 16, 2001 BY: Agent James Morgan		
SUBJECT(S) JAMES, TYRONE PHILLIP BLK. MALE, 5'8", 190 LBS 427 CENTER VIEW DR. BLACK HAIR, BROWN EYES CARSON, CALIF. DOB: 5-18-62, SS# 605-26-3818		ACTIVE: XXXXX JUDICIAL/BOARD: EVIDENCE DESTRUCTION: CLOSED:

INITIAL REPORT**ORIGIN:**

This agent was assigned by Agent Westmoreland to investigate illegal drug trafficking in the York County Area.

**DETAILS:**

- On 1-8-01 this agent received a call from Agent Ron Paret, of the Pennsylvania Office of Attorney General Bureau of Narcotics Investigation and Drug Control Region I Office (Allentown). At that time he informed this agent that he had received a call from Agent Sipes of the California Department of Justice, who informed him that he had intercepted a parcel, containing Marijuana, and headed to York, Pennsylvania. Agent Paret supplied this agent with the contact number for Agent Sipes, and instructed this agent to call him.
- This agent than contacted Agent Sipes and was informed that he did not allow the parcel to go through to its destination in York, Pennsylvania, because he was not able to contact anyone in York, Pennsylvania. He stated that he opened the parcel and that it contained approx. 9 1/2 pounds of Marijuana. He stated that the contents tested positive for Marijuana. He informed this agent that the parcel was addressed to a business in York, Pennsylvania, called EXPRESSIONS EXPRESS 2536 EASTERN BLVD. SUITE 164 YORK, PENNSYLVANIA 17402. He also stated that the parcel was being shipped via United Parcel Service from Mail Box Etc. in Corona, California.

## COPY OF THIS REPORT FURNISHED TO

REGIONAL OFFICE:

CENTRAL OFFICE:

OTHER:

APPROVED:

## SIGNATURES

(Narcotic Agent) (Date)  
 (Supervisor) (Date)  
 (Regional Director/AIC) (Date)

(Regional Director/AIC) (Date)

INITIAL REPORT

JAMES, TYRONE PHILLIP  
#30003-01  
PAGE 2.

3. This agent then contacted the Springettsbury Township Police Department and learned that the address of 2536 Eastern Blvd. Suite 164 York, Pennsylvania, is the address for Mail Box Etc., and the Suite 164 is actually box 164. On 1-9-01 this agent, Det. Kessler, and Det. Peddicord of the York County Drug Task Force, responded to the United Parcel Service Terminal at 590 Willow Spring Lane York, Pennsylvania 17402 and spoke with Thomas M. Gustin Jr., Business Manager for Central Pennsylvania. At that time this <sup>SJNT</sup> explained the particulars of the investigation to Mr Gustin, and he agreed to allow this agent to prepare a fake parcel to represent the actual parcel which was intercepted in California. This agent, Det. Kessler, and Det. Peddicord prepared the parcel with rock salt and sealed it up. The parcel was then labeled with the receiving address and transported to the Mail Box Etc. location at 2536 Eastern Blvd Suite 164 York, Pennsylvania 17402. This agent met with one of the United Parcel Service carriers and turned the fake package over to him. The package was then delivered, as normally done, to the Mail Box Etc. and signed for by one of the sales clerks.

4. This agent entered the store and spoke with Terisa Mc Coy (Sales Clerk), and learned that the Box 164 was rented by Tyrone Phillip James with the name EXPRESSIONS EXPRESS. She then supplied this agent with the rental agreement signed by Tyrone Phillip James, a copy of his California drivers license, and a copy of his AAA Automobile Club of Southern California Card (which he used as identification). She then supplied this agent with the parcel receipt records, showing the number of times Tyrone Phillip James has received parcels, from California, at this particular Mail Box Etc.. This agent reviewed the receipt records for mail box 164 and learned that the subject Tyrone Phillip James signed for and received parcels on the following dates: October 11, 2000, October 13, 2000, October 27, 2000, November 1, 2000, November 3, 2000, November 7, 2000, December 15, 2000, December 19, 2000, and January 10, 2001. Terisa Mc Coy and the other sales clerks informed this agent that they are familiar with the subject Tyrone Phillip James, and that he opened the mail box in October 2000. A briefing was then held in the parking lot of the Kingston Square Shopping Center. Present were Det. Kessler, Det Glowczewski, Det. Peddicord, Agent Westmoreland, Agent Troutner, Agent Hicks, Agent Bonczeck, Det. Craul, and this agent. At that time all officers were given their assignments. All officers setup in their surveillance posts and awaited the arrival of the suspect.

5. On 1-10-01 at approx. 10:30 am the subject, Tyrone Phillip James, arrived in the area operating a Silver Mitsubishi Galant with Virginia registration. He parked the vehicle and exited. He then walked into the Mail Box Etc., signed for and received the parcel. He exited the store and was approached by Agent Westmoreland, who identified himself and instructed the subject to stop. The subject then threw the parcel in the direction of Agent Westmoreland and attempted to run out of the area. The subject was apprehended and taken into custody. The parcel was retrieved and the subject was transported to the York City Police Department where he was processed and charged with CRIMINAL ATTEMPT TO POSSESS A CONTROLLED SUBSTANCE WITH THE INTENT TO DISTRIBUTE. This agent then advised the subject of his Miranda Warnings, and he stated that he understood his rights. At that time the subject stated to this agent that he had flown into Harrisburg International Airport in the morning, and that he flew out of California in the afternoon of 1-9-01. He stated that he then rented a vehicle and drove to York to pickup his parcel. He stated that he didn't know that the package contained Marijuana, and that he thought that it contained beauty supplies. This agent then examined the contents of the subjects wallet and removed several business cards from various Mail Box Etc. locations in York County and Maryland. This agent

agent then examined the contents of the subjects wallet and removed several business cards from various Mail Box Etc. locations in York County and Maryland. This agent

INITIAL REPORT  
JAMES, TYRONE PHILLIP  
#30003-01  
PAGE 3.

examined the cards and discovered that there were mail box numbers written on the cards.

6. This agent responded to the Mail Box Etc. located in the Commerce Commons at 2180 White St. York, Pa. 17404, and spoke with Charles Kutz. Mr. Kutz stated that he was familiar with the subject, Tyrone Phillip James, and that the subject rented mail box number 209. He stated that he does not recall the subject receiving any parcels, however he does send a number of documents out of the country via Fed Ex, to Jamaica. He supplied this agent with copies of the documents and the records. This agent reviewed the records and realized that the subject was forwarding the documents to one LOVETA KNIGHT OF GORE DEVELOPMENT LTD. 2 c BRAEMAR AVENUE KINGSTON, JAMAICA W.I. This agent discovered that these documents were sent out on the following dates: October 2, 2000, October 6, 2000, November 20, 2000, November 30, 2000, and December 19, 2000. Mr. Kutz informed this agent that the subject rented the box, since May 25, 1999.

7. This agent then responded to the Mail Box Etc. at 240 St. Charles Way York, Pennsylvania 17403, and spoke with the sales clerks on duty. They informed this agent that they were familiar with the subject Tyrone Phillip James, and that he rented mail box number 191. They informed this agent that the subject has rented the box since May 22, 2000. They also stated that the subject has received several parcels to that mail box. They then supplied this agent with the contract signed by the subject and a copy of the parcel receipt papers that reflect the number of parcel received by the subject and the dates. This agent reviewed the receipts and learned that the subject signed for and received parcels on the following dates: May 5, 2000, July 8, 2000, September 8, 2000, September 21, 2000, October 12, 2000, October 13, 2000, October 30, 2000, November 2, 2000, November 20, 2000, December 18, 2000, and December 20, 2000. The sales clerks then informed this agent that the subject rented a mail box at the Hanover Mail Box Etc. (Which closed down and moved to Shrewsbury Commons at 644 Shrewsbury Commons Avenue Shrewsbury, Pennsylvania 17361). They then supplied this agent with the phone number for the Mail Box Etc. in Shrewsbury, Pennsylvania. This agent then called the Mail Box Etc. in Shrewsbury, and was informed, by Donna lynn (Manager/Sales Clerk), that the subject Tyrone Phillip James, does rent a mail box at that particular location, and that he just received a parcel on this date, and it was waiting to be picked up. This Agent then responded to that location.

8. The sales clerks (Donna Lynn) then turned the parcel over to this agent along with the contract and parcel receipt papers for mail box number 248. This agent learned that the subject rented the mail box in December 14, 2000, and that he has received (2) parcels since opening the mail box. The dates for those parcels are as follows: December 14, 2000, and January 10, 2001. This agent then contacted Det. Robert Kessler, of the York County Drug Task Force, and requested a Narcotics K-9 from the York County Prison. Det. Kessler and CO Shawn Rohrbaugh and his K-9 "FALCO", responded to the Mail Box Etc. Shrewsbury, Pennsylvania. This agent and Det. Kessler then took the parcel and placed it amongst at least (6) other parcels to be examined by the K-9. The CO Shawn Rohrbaugh then guided the K-9 around the various parcels. The K-9 then alerted to the parcel belonging to mail box number 248, and addressed to D.W. Advertising Co. Suite 248 Shrewsbury Commons Avenue, Shrewsbury, Pennsylvania. The records that this agent received from the sales clerks, on mail box number 248,

INITIAL REPORT  
JAMES, TYRONE PHILLIP  
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PAGE 4.

reflected that the mail box is rented by the subject Tyrone Phillip James, and under the business name of D.W. Advertising Eva Production ACG Computer/repairing. The parcel was removed from the premises by Det. Kessler, who responded to the York County Drug Task Force Office and prepared a search warrant for the parcel.

9. This agent and Det Craul of the Springettsbury Township Police Department, then transported the subject Tyrone Phillip James to the Duty Magistrates Office, where he was arraigned, before District Justice Kim Leppo, on the charge of CRIMINAL ATTEMPT TO POSSESS WITH THE INTENT TO DELIVER A CONTROLLED SUBSTANCE (MARIJUANA). He was then committed to York County Prison in lieu of \$500,000.00 cash bail. Det. Kessler responded to the Duty Magistrate Office and obtained the search warrant for the parcel, which was recovered at the Mail Box Etc. Shrewsbury Commons Avenue Shrewsbury, Pennsylvania. This agent and Det. Craul then transported the subject Tyrone Phillip James to the York County Prison, where he was secured. This agent Det. Craul and Det. Kessler then responded to the Springettsbury Township Police Department, where the search warrant for the parcel was served, and the parcel was opened. At that time it was discovered that the parcel contained approx. (2.2) pounds of suspected cocaine. The evidence was field tested by Det. Craul, with a positive result for cocaine. The evidence was then turned over to this agent by Det. Craul, and transported to the Region III Headquarters, where it was secured in the Evidence Room for transportation to the Crime Lab. It was then determined that the evidence in this case will be analyzed by the Drug Enforcement Administration Lab in New York. On 1-10-00 the parcel from California, which contained the 9 1/4 pounds of Marijuana, was received at the Region III Headquarters and was secured in the Evidence Room, by this Agent. The parcel was forwarded, overnight from California, by Agent Randy Sipes of the California Department of Justice.

10. On 1-12-01 this agent received a call from Charles Kutz of the Mail Box Etc. Commerce Commons 2180 White St. York, Pennsylvania, that the subject Tyrone Phillip James had received a parcel for mail box number 209, and that the parcel was waiting to be picked up. This agent then responded to the Mail Box Etc. Commerce Commons 2180 White St. York, Pennsylvania, and received the parcel from Mr. Kutz. Det Kessler, and Det. Peddicord responded to the location and the services of the York County Prison K-9 Unit was requested. Cpt. Michael Buono and his K-9 "Yukon" responded to the location. This agent and Det. Kessler then placed the parcel amongst at least (6) other parcels, and the k-9 was permitted to examine the parcels. The K-9 alerted to the parcel addressed to mail box number 209 P.J. Supplies 2180 White ST. Suite 209 York, Pennsylvania 17404. The mail box number 209 is rented by Tyrone Phillip James and under the business names 1<sup>st</sup> Impressions Enterprise Inc.

11. Det. Peddicord took possession of the parcel and transported it to the York County Drug Task Force Office, where he prepared a search warrant. This agent prepared an arrest warrant for the subject Tyrone Phillip James, charging him with CRIMINAL ATTEMPT TO POSSESS WITH THE INTENT TO DELIVER A CONTROLLED SUBSTANCE (COCAINE). This agent and Det. Peddicord then responded to District Justice Haskell's Office and obtained the search warrant for the parcel and the arrest warrant for the subject Tyrone Phillip James. This agent and Det Peddicord then responded back to the York County Drug Task Force Office where the search warrant was executed on the parcel. The parcel was found to contain approx. (10) pounds of Marijuana. The evidence was field tested, by Det.

to contain approx. (10) pounds of Marijuana. The evidence was field tested, by Det.

INITIAL REPORT  
JAMES, TYRONE PHILLIP  
#30003-01  
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Peddicord with a positive result for Marijuana. Det Peddicord then prepared an arrest warrant for the subject Tyrone Phillip James, charging him with CRIMINAL ATTEMPT TO POSSESS WITH THE INTENT TO DELIVER A CONTROLLED SUBSTANCE (MARIJUANA). Det. Peddicord then obtained the warrant before District Justice Ronald Haskell Jr.. At approx. 2:00 pm this agent and Det. Peddicord arraigned the subject, Tyrone Phillip James, on all charges, before District Justice Ronald Haskell Jr.. The subject Tyrone Phillip James was re-committed to the York County Prison in lieu of \$2,000,000.00 cash bail, bring his total bail to \$2,500,000.00 cash. The evidence was turned over to this agent by Det. Peddicord, and transported to the Region III Headquarters where it was secured in the Evidence Room for transportation to the Drug Enforcement Administration Lab in New York.

**EVIDENCE:**

Cardboard box containing quantity of Marijuana.  
Cardboard box containing quantity of Marijuana.  
Cardboard box containing quantity of Cocaine.  
Personal papers and credit cards for subject.  
Cellular phone and adapter for subject.

**ADVANCED FUNDS EXPENDED:**

None.

**ANTICIPATED ACTION:**

Preliminary Hearing for subject.

**ATTACHMENTS:**

Copy of Criminal Complaints for subject.  
Copy os search warrants for various packages.  
Evidence Receipt for Marijuana from California  
Photocopy of person papers and credit cards of subject.  
BNI-47  
Photos of seized evidence.  
Copies of Mail Box Etc. receipt records.  
BNI-6 for subject  
Photographs of subject.

BNI-b (Rev. 3.96)

## PERSONAL HISTORY/ARREST REPO

1. USE (check applicable box): <input checked="" type="checkbox"/> Personal History <input type="checkbox"/> Informant ID <input checked="" type="checkbox"/> Arrest Record <input type="checkbox"/> Fugitive Declaration		2. Case Number <u>30003-01</u>	5. Fingerprinted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		3. OTN Number(s) <u>F201481-0</u> <u>F201480-6</u>	6. Probation <input type="checkbox"/> Parole <input type="checkbox"/> Where? <u>N/A</u>
		4. Informant ID Number	7. NCIC Check <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u>1/10/01</u>
8. Name (LAST, FIRST, MIDDLE) <u>JAMES T. MORAN Ph. H. P.</u>			9. Alias(es) or Other Name(s) <u>T. J.</u>
10. Permanent Address (include ZIP CODE) <u>565 West Market St. San Jose, CA 95113</u>			10a. Telephone Number <u>(717) 843-1074</u>
11. Other Address (if any) <u>927 Centrevue Dr. Largo, California</u>			11a. Telephone Number <u>(310) 485-3170</u>
12. Date of Birth <u>5-18-62</u>	13. Place of Birth (City/State) <u>US St. Thomas Virgin Islands</u>		14. Citizenship <u>US</u>
16. Nationality <u>American</u>	17. Race <u>Black</u>	18. Sex <u>M</u> <input type="checkbox"/> F	19. Height (inches) <u>68"</u>
24. Build <u>stocky</u>	25. Complexion <u>Dark</u>	20. Weight <u>190</u>	
28. SSN # <u>605-26-3818</u>	29. FBI #	30. DEA #	31. SID #
33. Employer/Address <u>CIA/CIA S.A. 534 W. Market St. San Jose</u>		34. Education (Level/Name of School) <u>St. Thomas High School GED</u>	
36. Driver's License Information: Operator's License Number: <u>C2083017</u>		State or Country: <u>CIA, Germany</u>	35. Vehicle Registration Information Make/Model Year State
		Expiration Date: <u>5-18-2003</u>	License # Expires:
37. Spouse: <u>Laura J. mo</u>		Address: <u>565 West Market St. San Jose, CA 95113</u>	
38. Immediate Family (Relationship):		Address:	
39. Child: <u>Chelsie Tyasha T. mo (1 month old)</u>		Address:	
40. Valentine T. mo (1 year) Polis Smith (5)		Address:	
41. REMARKS: <u>Parade Captain (1)</u>			
42. Primary Officer: <u>James H. Moran</u>		43. Agency (BNI/PSP/TF/OTH): <u>DIA</u>	
44. Secondary Officer:		45. Agency (BNI/PSP/TF/OTH):	
46. Reporting Date: <u>1/10/01</u>	47. Date/Time of Arrest: <u>1/10/01 10:10 AM</u>	48. Where Arrested: (Municipal Code) <u>67</u>	49. Occupation Code: <u>UNEMP</u>
50. Class (1-4): <u>1</u>	51. Type Violation: <u>PUB ACT 64</u>	52. Counts: <u>3</u>	53. Drug Code: <u>C-C MAF</u>
54. Firearms: (I)nvolved / (C)charged <u>N/I</u>	55. Arrest by Result of: <u>Warrant</u>	56. Armed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	57. Photographed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
58. Statement: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	59. Funds at Arrest: <u>\$42.00</u>	60. Other Controlled Substances/Drugs Involved: <u>N/A</u>	
Officer's Signature/Date: <u>J. H. M.</u> <u>1/10/01</u>		Supervisor's Signature/Date: <u>B. M. W.</u> <u>1/10/01</u>	
68. Statement: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	59. Funds at Arrest: <u>\$42.00</u>	60. Other Controlled Substances/Drugs Involved: <u>N/A</u>	

**COMMONWEALTH OF  
PENNSYLVANIA**

**COUNTY OF YORK**

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to

take into custody.

**DOB: 5/18/62**

**(Name): Tyrone P. James**

**(Address): 565 W Market St. 3rd Flr.  
York, Pa 17404**

If the defendant be found in said Commonwealth, and bring the defendant before us at **Daniel Gable 1999 Curriston Rd** **19-2-03** **Mississauga**, **Ontario** to answer the Commonwealth or **YORK CITY Police Dept 2** upon the complaint or citation of **R. Reddick** **(Political Subdivision)** charging the defendant with **901-A Felonious Attempt To Rob M** and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

**day of**

**Jan**

**2001**

**SEAL**

(Signature)

Amount required to satisfy sentence:

Citation No.:

**FILED: 1/22/01**

Fine: \$

Costs: \$

Other: \$

Amount needed to satisfy collateral: \$

Reason for warrant:

**RETURN WHERE DEFENDANT  
IS FOUND**

**WARRANT CONTROL NO.:  
1936382**

**DOCKET NUMBER: 1**

- I took into custody the within named \_\_\_\_\_, 19\_\_\_\_\_.
- He is now at liberty on bail posted before \_\_\_\_\_.

In the \_\_\_\_\_ jail.

before you for disposition.

I accepted a guilty plea and collected \$ \_\_\_\_\_ for fine and costs.

I accepted a not guilty plea and collected \$ \_\_\_\_\_ for collateral.

**OFFENSE DATE 1/12/01  
CHARGE 9034 CRIM. ATTEM  
A 30 DUE TO DEL NY**

I acknowledge that I am voluntarily and knowingly pleading guilty, and paid to the officer the fine and costs stated in the warrant in the amount of \$ \_\_\_\_\_.

**(Defendant's Signature)**  
I acknowledge that I am voluntarily and knowingly pleading not guilty. I paid to the officer the collateral for my appearance at trial stated in the warrant in the amount of \$ \_\_\_\_\_.

**RETURN WHERE DEFENDANT  
IS NOT FOUND**

After careful search, I cannot find the within named defendant

**(Defendant's Signature)**

Warrant Officer's costs:

Miles @ \_\_\_\_\_ c \_\_\_\_\_

Commitments \_\_\_\_\_ c \_\_\_\_\_

Miles @ \_\_\_\_\_ c \_\_\_\_\_

Conveying to hearing \_\_\_\_\_ c \_\_\_\_\_

Miles @ \_\_\_\_\_ c \_\_\_\_\_

Total \_\_\_\_\_



**POLICE  
CRIMINAL COMPLAINT**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: York

Magisterial District Number: 19-2-03

District Justice Name: Hon. Daniel Garber

Address: 1998 Carlisle Rd.  
York, Pa. 17404

Telephone ( ) 767-5703

Docket No.:

Date Filed: 1/12/04

OTN: F201481-0-

Defendant's Race/Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. 5-18-62	Defendant's Social Security Number 605-26-3818	Defendant's SED
Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number      State      Registration Status (MM/YY)			Defendant's Driver's License Number
Complaint/ Incident Number 1812-4	Complaint/ Incident Numbers if other Participants			UCR / NIBRS Code

District Attorney's Office  Approved  Disapproved because: \_\_\_\_\_  
The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing.  
(a.R.Cr.P. 107.)

(Name or Attorney for Corporation) - Please Print or Type \_\_\_\_\_ (Signature of Attorney for Corporation) \_\_\_\_\_ (Date) \_\_\_\_\_  
R. Peddicord/YCDTF, Agent Morgan/Office of Attorney General BNI 197/309  
(Name or Attorney - Please Print or Type) (Other Badge Number / ID.)  
YCDTF/Office of Attorney General BNI PA0670200/PA0224000

I hereby state: (check the appropriate box)

- I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe with violating the penal laws of the Commonwealth of Pennsylvania at Commerce Commons and Carlisle Rd. (Place, Political Subdivision) west Manchester Township

11 York County on or about 1-12-01 @ approx. 1200 hrs.

Participants were: (if there were participants, place their names here, repeating the name of above defendant)

---

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The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Defendant's Name:	Tyrone James
Docket Number:	



POLICE  
CRIMINAL COMPLAINT

AFFIDAVIT of PROBABLE CAUSE

On 1-12-01 Agent Morgan of the Attorney General's Office, BNI, received a call from a subject at Mailbox Etc. located at Commerce Commons and Carlisle Rd. This call was in regards to a box which was sent to a mailbox rented by the def. The package (box) was similar to packages sent to other Mailbox Etc.'s locations. Two separate boxes, one which was to contain marijuana, which the def. physically retrieved, and the second which contained cocaine. A search warrant was obtained for the package (Warrant # 011201/1) and was executed at 1200 hrs. The box contained approximately 13 pounds of marijuana, which was field tested with positive results.

Based on this information this officer requests a warrant for the def. for violating the Controlled Substance laws of the Commonwealth, specifically Criminal attempt to Possess With the Intent to Deliver a Controlled Substance, Title 18, Sec 901(a) and Act 64, Sec 13 (a)(30).

I, R. Peddicord/Agent Morgan, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

R. Peddicord/Agent

(Signature of Affiant)

Sworn to me and subscribed before me this 12 day of Jan 2001.

1/12/01 Date R. Peddicord, District Justice

My commission expires first Monday of January, 2000.

SEAL

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: York

Magisterial District Number: 19-3-04

District Justice Name: Hon. Vera J. Heilman

Address: 28 Northbrook Dr. Suite D  
Shrewsbury, Pa. 17361

Telephone: ( ) 227-0688

Docket No.:

Date Filed: 1/12/01

OTN: F 201480-6



POLICE  
CRIMINAL COMPLAINT

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT

NAME and ADDRESS

Tyrone Phillip James  
565 W. Market St. 3rd Floor  
York, Pa. 17404

Defendant's Race/Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male	Defendant's D.O.B. 5-18-62	Defendant's Social Security Number 605-26-3818	Defendant's SID
Defendant's A.K.A.		Defendant's Vehicle Information: Plate Number	State   Registration Status (M.O./Y/M)	Defendant's Driver's License Number State
Complaint / Incident Number 1811-4		Complaint / Incident Numbers if other Participants		
		UCR / NIBRS Code		

District Attorney's Office  Approved  Disapproved because: \_\_\_\_\_  
 (The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing.  
 Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth - Please Print or Type) \_\_\_\_\_ (Signature of Attorney for Commonwealth) \_\_\_\_\_ (Date) \_\_\_\_\_  
 I, R. Peddicord/Agent James Morgan 197/309  
 (Name of Agent - Please Print or Type) \_\_\_\_\_ (Other Badge Number / I.D.) \_\_\_\_\_  
 of YCBTF/Office of Attorney General BNI PA0670200/PA0224000  
 (County, Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Operating Agency Case Number (OCA)) \_\_\_\_\_

do hereby state: (check the appropriate box)

1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_  
 I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 644 Shrewsbury Commons Ave.  
Shrewsbury Township

in York County on or about 1-10-01 @ approx. 1730 hrs.

Participants were: (if there were participants, place their names here, repeating the name of above defendant)

The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Defendant's Name:	Tyrone James
Docket Number:	



**POLICE  
CRIMINAL COMPLAINT**

*OTN-F 201480-6*

**CRIMINAL ATTEMPT TO POSSESS WITH THE INTENT TO DELIVER COCAINE**

IN THAT THE DEF. DID UNLAWFULLY AND KNOWINGLY ATTEMPT WITH THE INTENT TO COMMIT THE UNLAWFUL ACT OF POSSESSION WITH THE INTENT TO DELIVER A CONTROLLED SUBSTANCE TO WIT: COCAINE, A SCHEDULE II CONTROLLED SUBSTANCE AND SAID DEF. COMMITTED AN ACT WHICH CONSTITUTED A SUBSTANTIAL STEP TOWARD THE COMMISSION OF SAID OFFENSE.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

1.	901	(Section)	(a)	of the	TITLE 18	1	(counts)
2.	13	(Section)	(a) 30	of the	ACT 64	1	(counts)
3.		(Section)		of the			
4.		(Section)		of the			

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)
4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

12 JANUARY

, 2000

*R. Reddink /ycosf James A. M.*  
(Signature of Author)

AND NOW, on this date 1/12, 2000, I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

19-1-04

(Magisterial District)

*Otig*

(Issuing Authority)

**SEAL**

Sworn to me and subscribed before me this 12 day of Jan, 01.

1/12/01 Date 61g, District Justice

My Commission expires first Monday of January, 2002.

SEAL

Defendant's Name:	Tyrone James
Docket Number:	



POLICE  
CRIMINAL COMPLAINT

OTR - F 201480 - 6

**AFFIDAVIT of PROBABLE CAUSE**

THAT ON 1-10-01 THE DEFENDANT TYRONE JAMES WAS ARRESTED BY MEMBERS OF THE YORK COUNTY DRUG TASK FORCE AND PA. OFFICE OF ATTORNEY GENERAL BUREAU OF NARCOTICA INVESTIGATION AND DRUG CONTROL, AT MAIL BOX ETC. 2536 EASTERN BLVD YORK, PENNSYLVANIA. AT THAT TIME HE WAS CHARGED WITH CRIMINAL ATTEMPT TO POSSES A CONTROLLED SUBSTANCE WITH THE INTENT TO DISTRIBUTE. THE DEFENDANT WAS TAKEN TO THE YORK CITY POLICE DEPARTMENT WHERE HE WAS PROCESSED ON THE CHARGES.

THAT YOUR AFFIANT JAMES MORGAN AND DET RICHARD PEDDICORD REVEIWED SEVERAL MAIL BOX ETC. BUSINESS CARDS THAT WERE IN THE POSSESSION OF THE DEFENDANT. YOUR AFFIANTS THEN CALLED THE VARIOUS NUMBERS AND LEARNED THAT THE DEFENDANT OWNED A MAIL BOX AT THE MAIL BOX ETC. 2536 SHREWSBURY COMMONS , AND THAT HE HAD RECEIVED A PACKAGE EARLIER IN THE DAY. YOUR AFFIANT RESPONDED TO THAT LOCATION AND LEARNED THAT THE DEFENDANT OWNED THE BOX NUMBERED 248 AND UNDER THE NAME OF D.W ADVERTISING AND TYRONE JAMES. YOUR AFFIANTS TOOK CONTROL OF THE PACKAGE AND REQUESTED THE ASSISTANCE OF THE YORK COUNTY PRISON K-9 UNIT.

THAT CO ROHRBAUGH RESPONDED WITH IS K-9 "FALCO" AND CONDUCTED AN EXAMINATION OF A SERIES OF PACKAGES. "FALCO" ALERTED TO THE PACKAGE WHICH WAS ADDRESSED TO MAIL BOX 248 D.W. ADVERTISING. DET. KESSLER THEN PREPARED A SEARCH WARRANT FOR THE PACKAGE AND OBTAINED THE SIGNITURE OF THE DUTY DISTRICT JUSTICE. THE WARRANT WAS EXECUTED ON THE PACKAGE BY DET. KESSLER AND YOUR AFFIANT JAMES MORGAN. THE CONTENTS OF THE PACKAGE WAS DETERMINED TO BE APPROX. 2.2 POUNDS OF COCAINE. THE CONTENTS WAS FIELD TESTED BY DET. RAY CRAUL OF THE SPRINGETTSBURY TOWNSHIP POLICE DEPARTMENT, WITH A POSITIVE RESULT FOR COCAINE. THE EVIDENCE WAS THEN SECURED AND TRANSPORTED TO THE REGION III EVIDENCE ROOM.

THAT THE MANAGER OF THE MAIL BOX ETC. 644 SHREWSBURY COMMONS SHREWSBURY , PENNSYLVANIA, DID SUPPLY THIS AGENT WITH THE MAIL BOX CONTRACT FOR TYRONE JAMES AND MAIL BOX 248. YOUR AFFIANTS DISCOVERED THAT IN THE CONTRACT WAS A CALIFORNIA DRIVERS LICENSE FOR THE DEFENDANT AND AAA AUTOMOBILE CLUB CARD FOR THE DEFENDANT. THE MANAGER ALSO IDENTIFIED THE DEFENDANT AS THE SUBJECT WHO RECEIVES PACKAGES AT THAT MAIL BOX, AND WHO RETRIEVES THE PACKAGES WHEN THEY COME IN TO THE OFFICE.

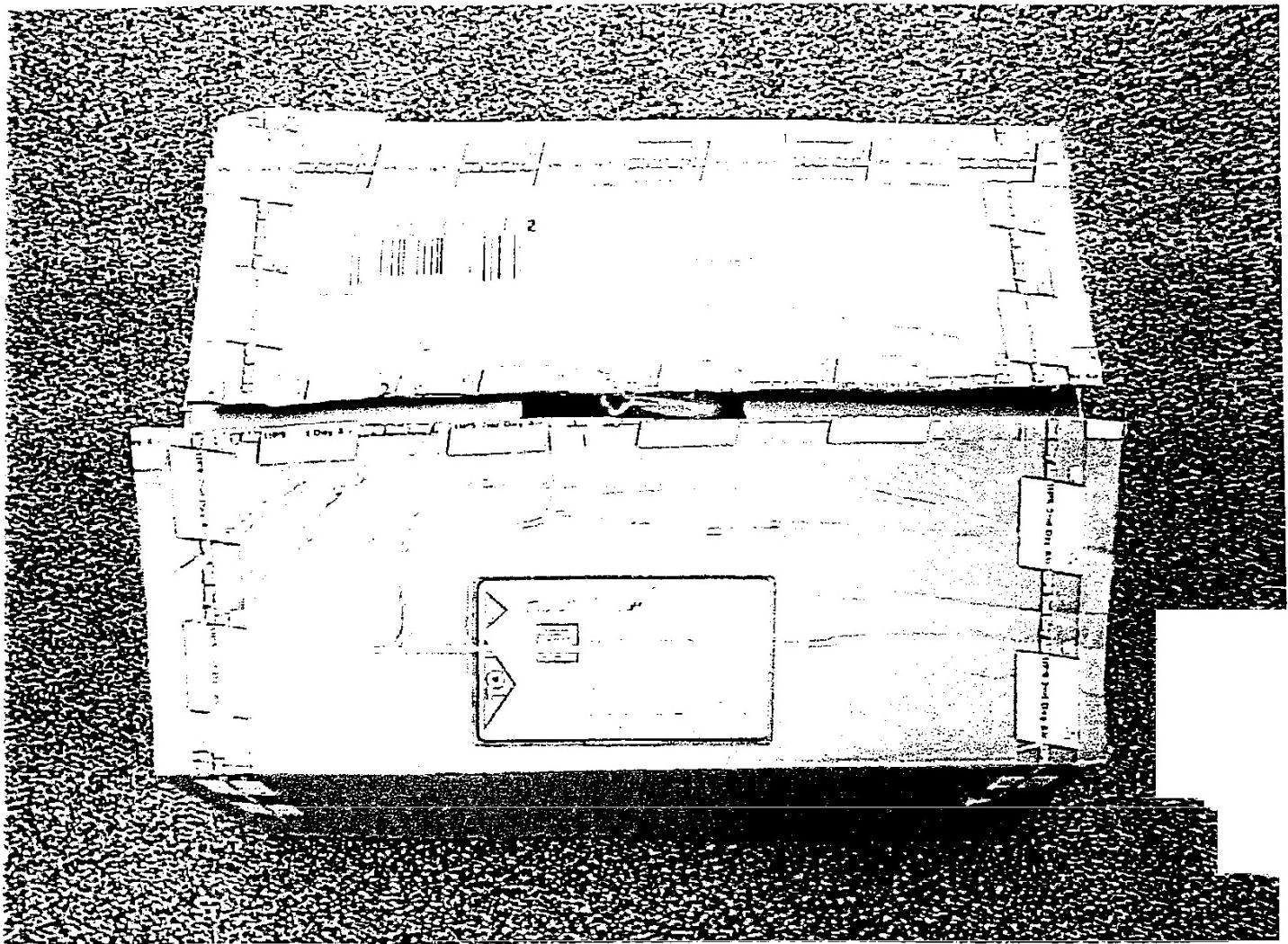
THAT THE DEFENDANT IS NEITHER LICENSED NOR REGISTERED BY LAW TO POSSESS, SELL, DESTRIBUTE, OR DELIVER THE SAID SUBSTANCE. THEREFORE HE IS CHARGED WITH CRIMINAL ATTEMPT TO PESS WITH THE INTENT TO DELIVER A CONTROLLED SUBSTANCE (COCAINE)

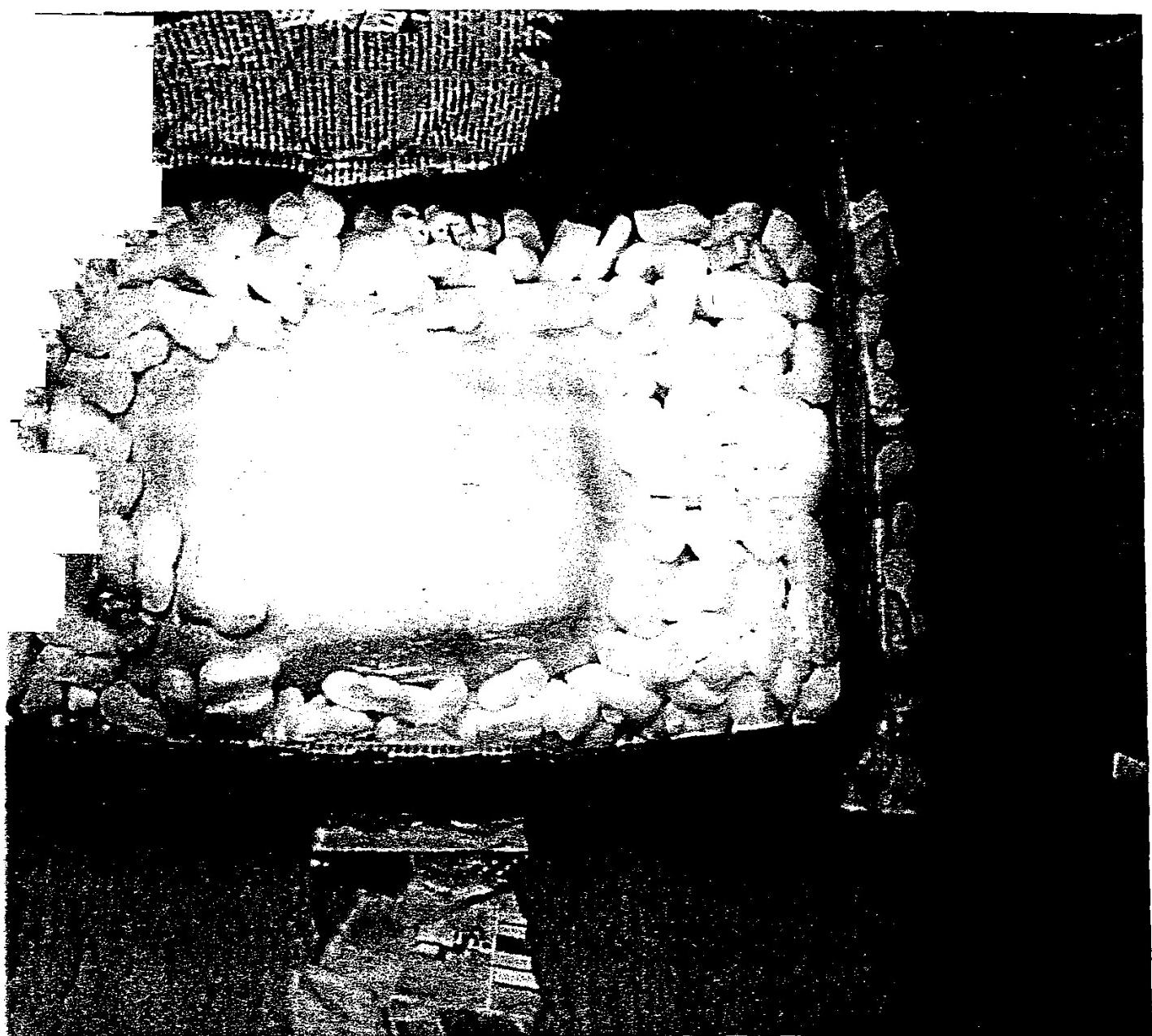
I, , BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SETFORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

R. Peddicord / YCOTF  
James H. M. —

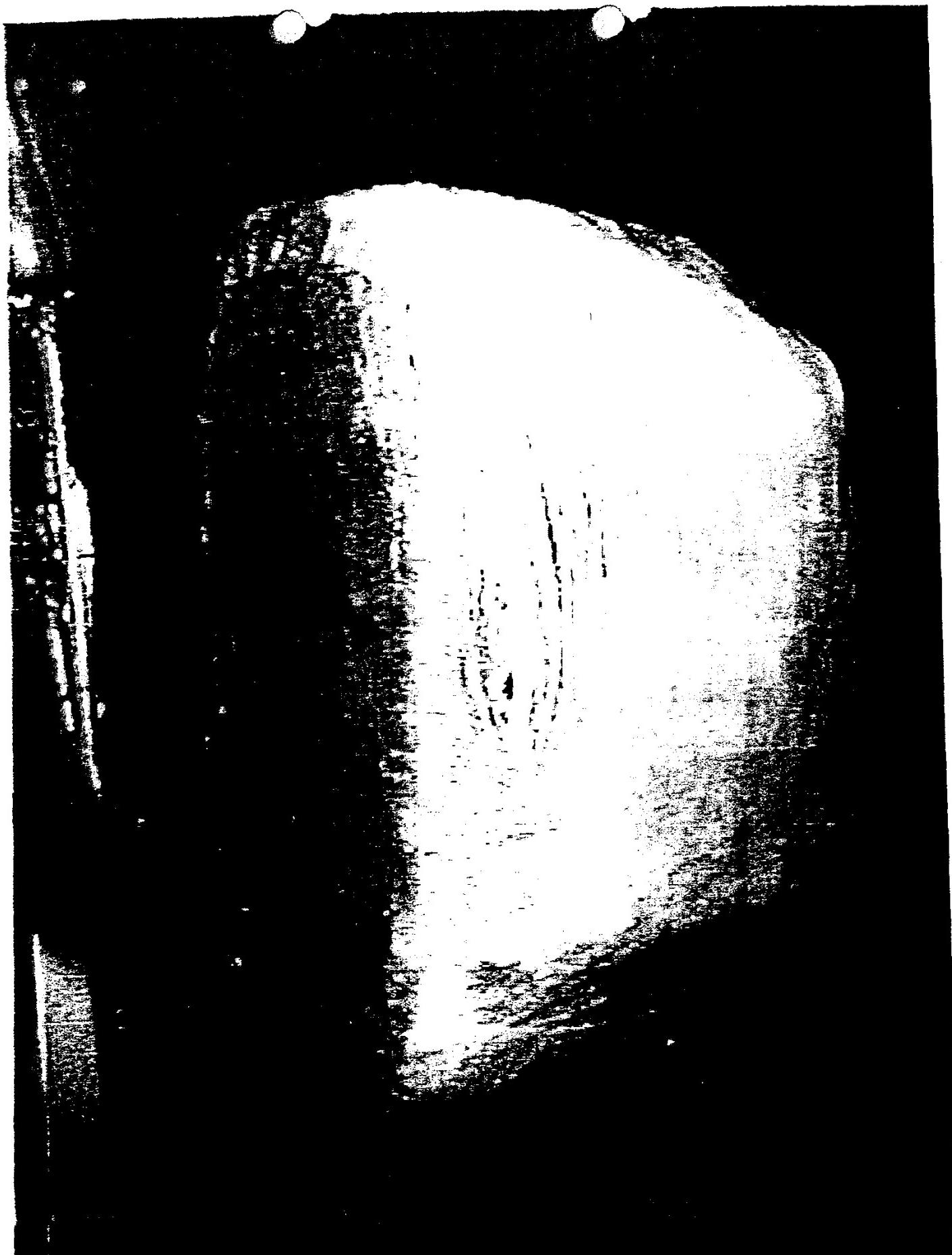
(Signature of Affiant)

1/12/01

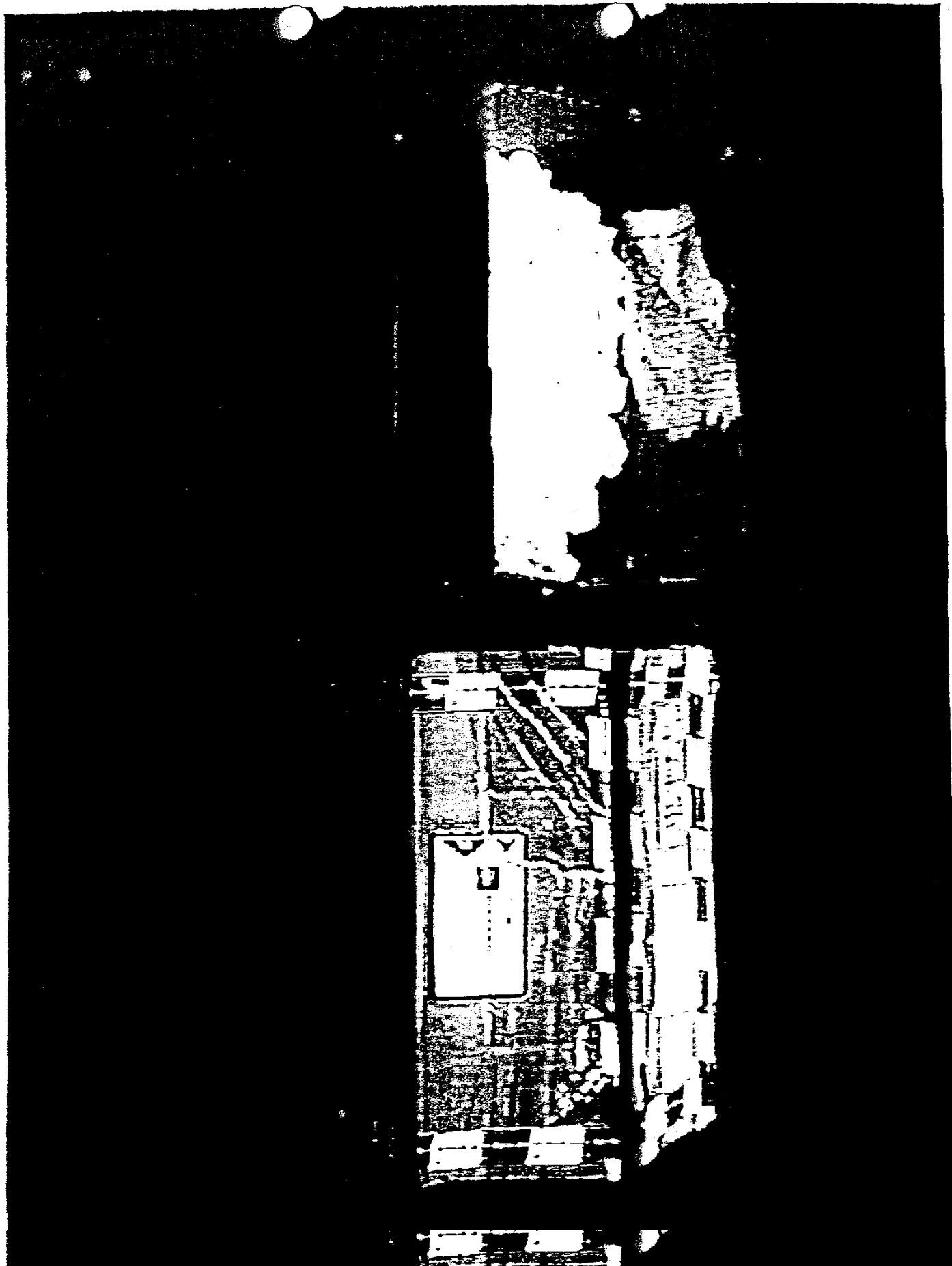


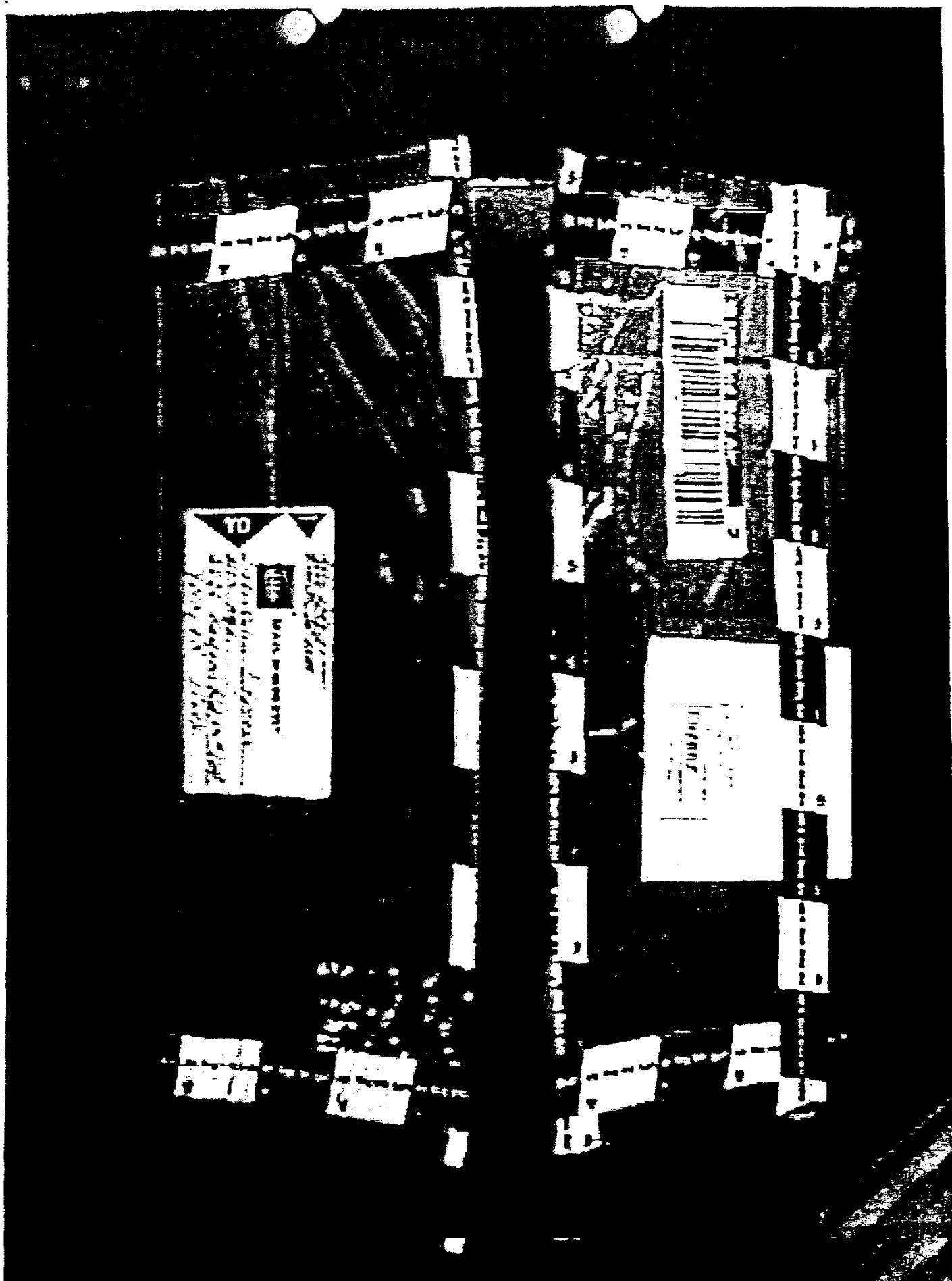




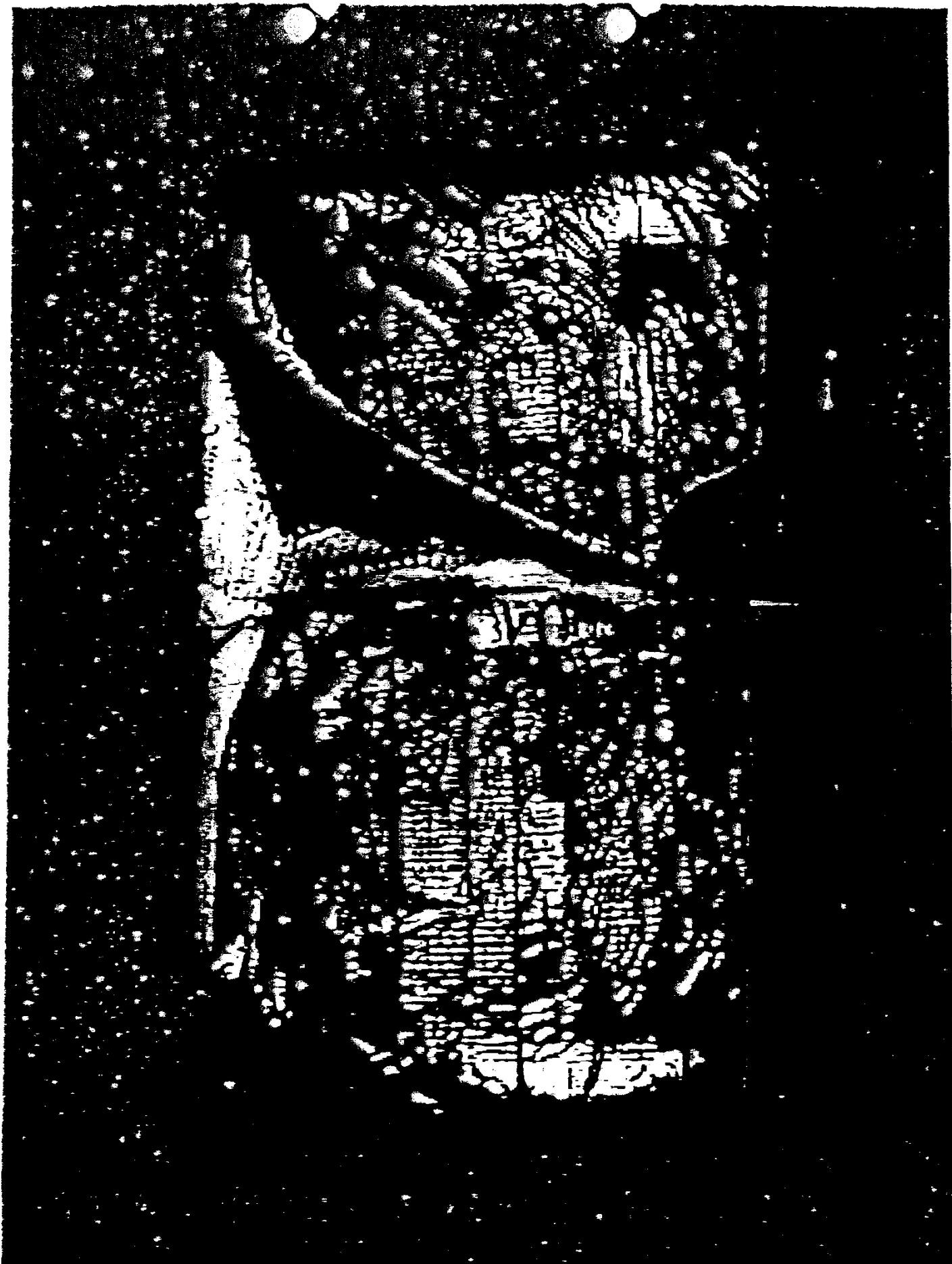


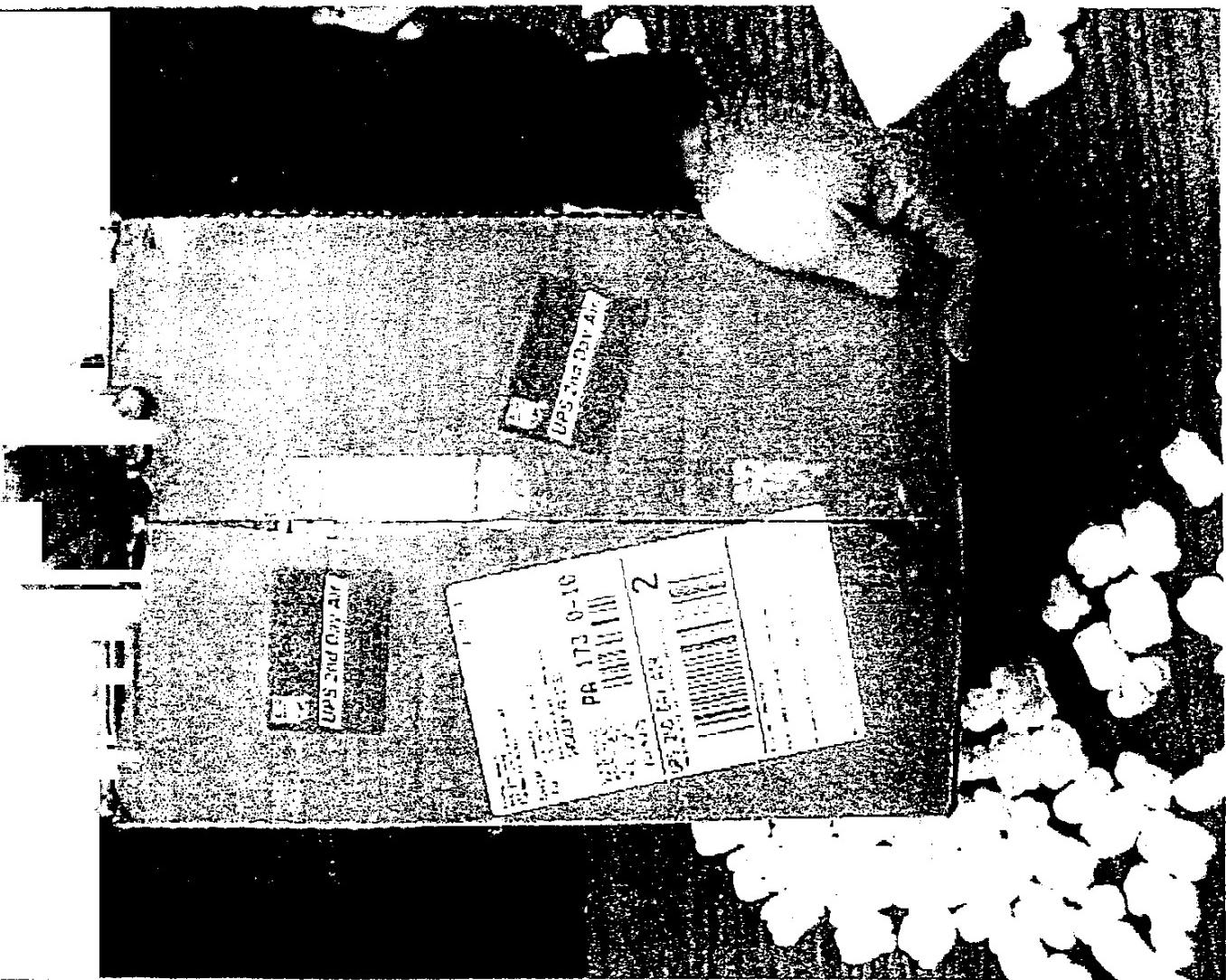


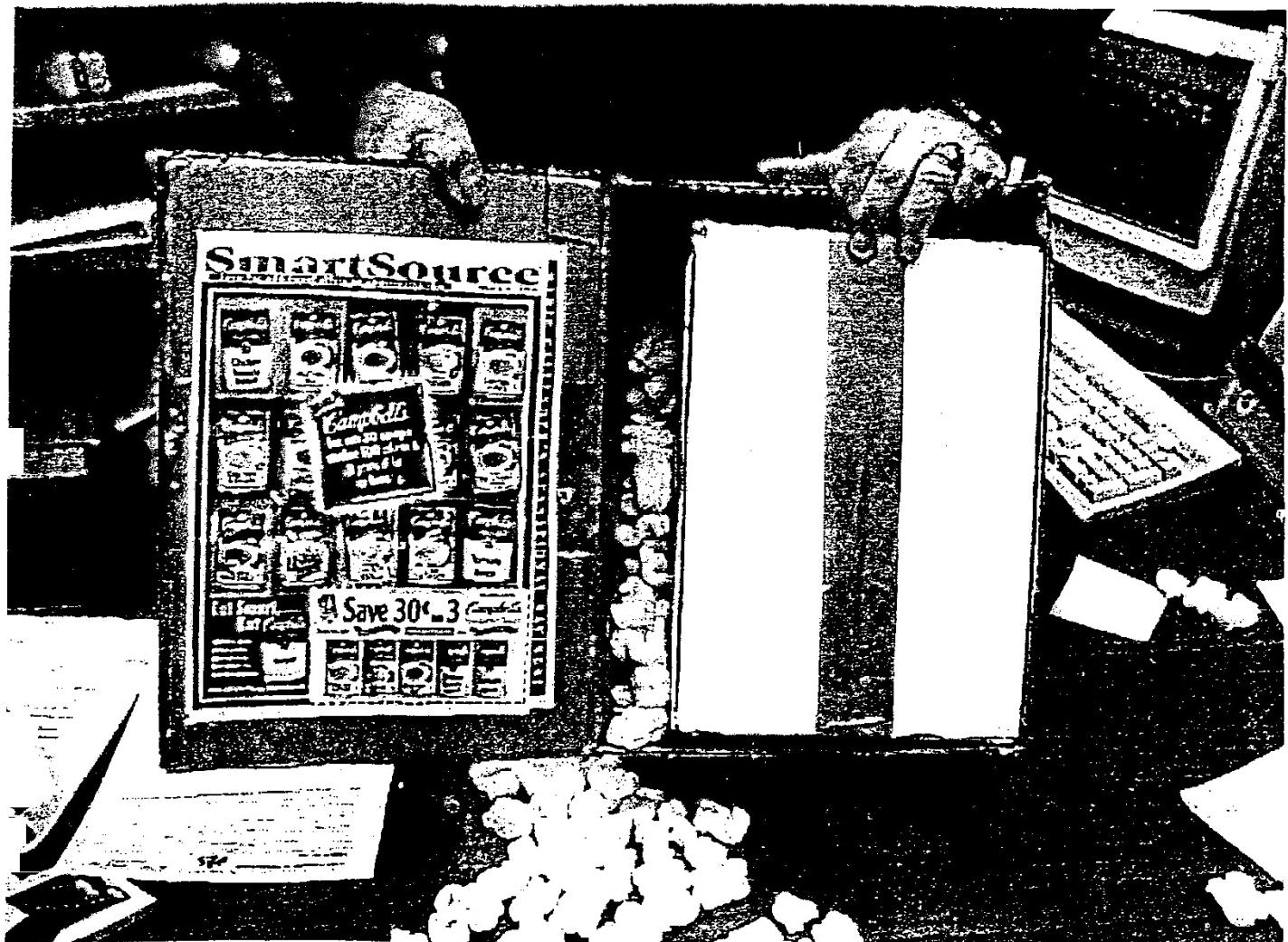


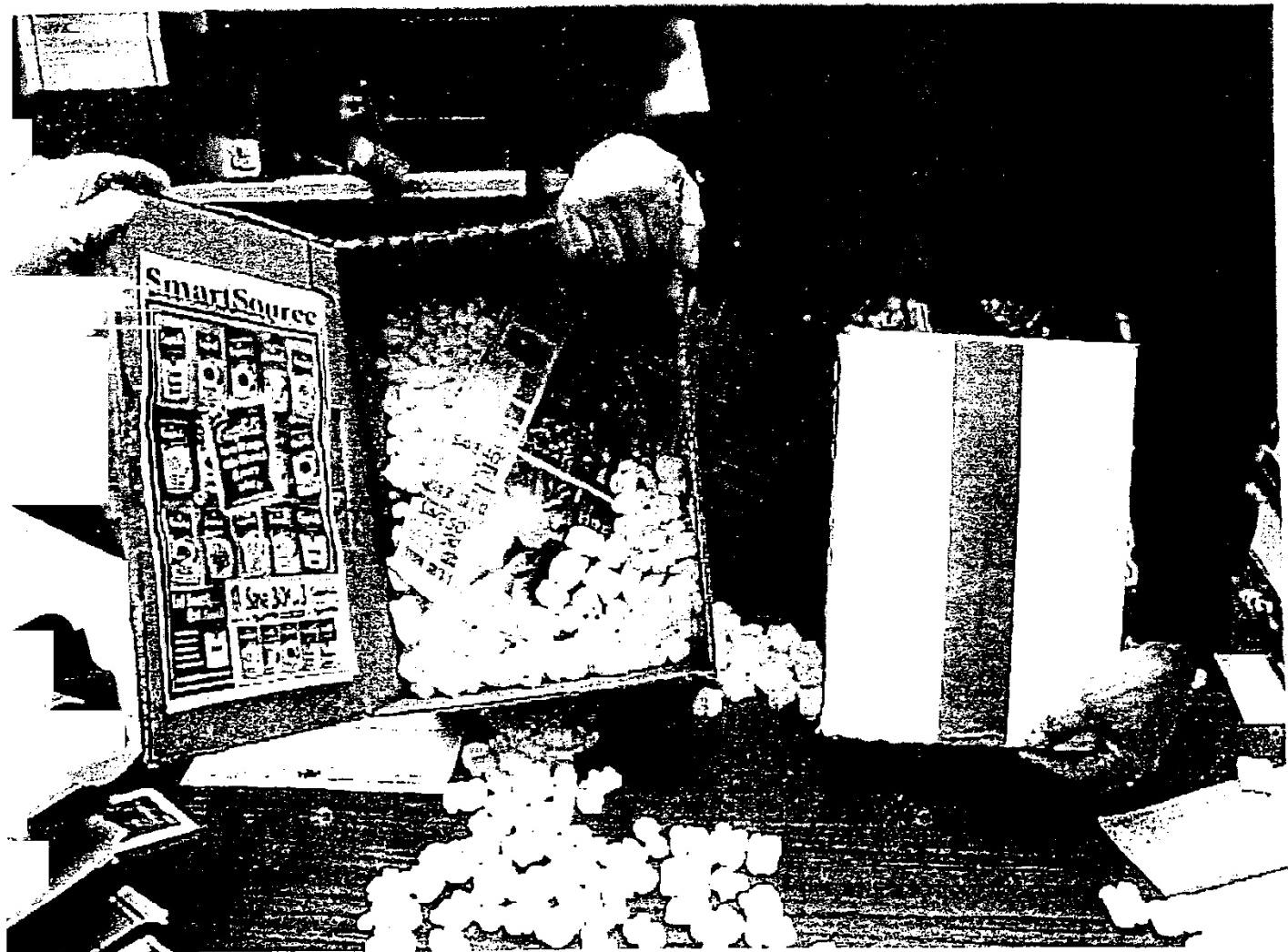


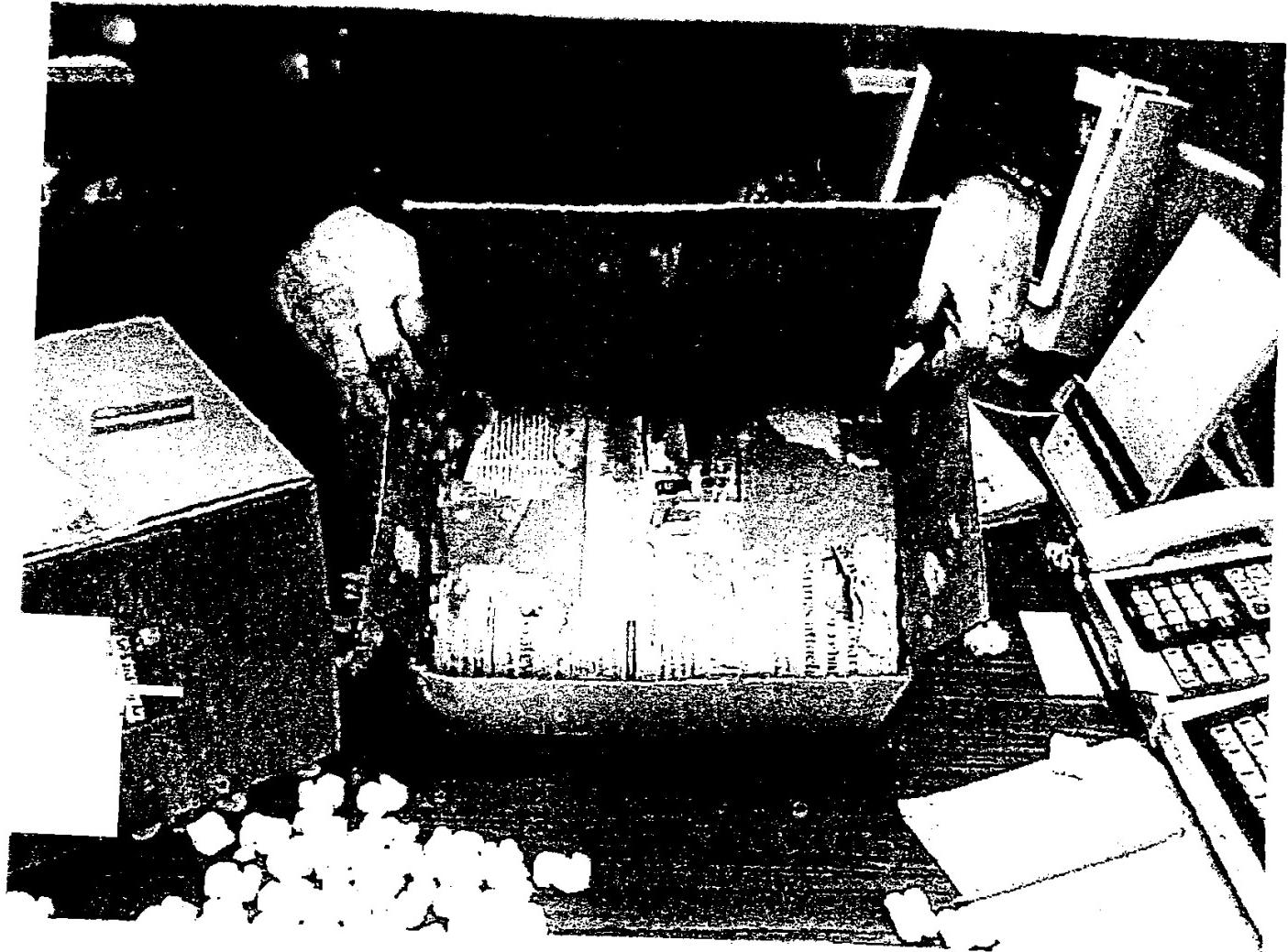






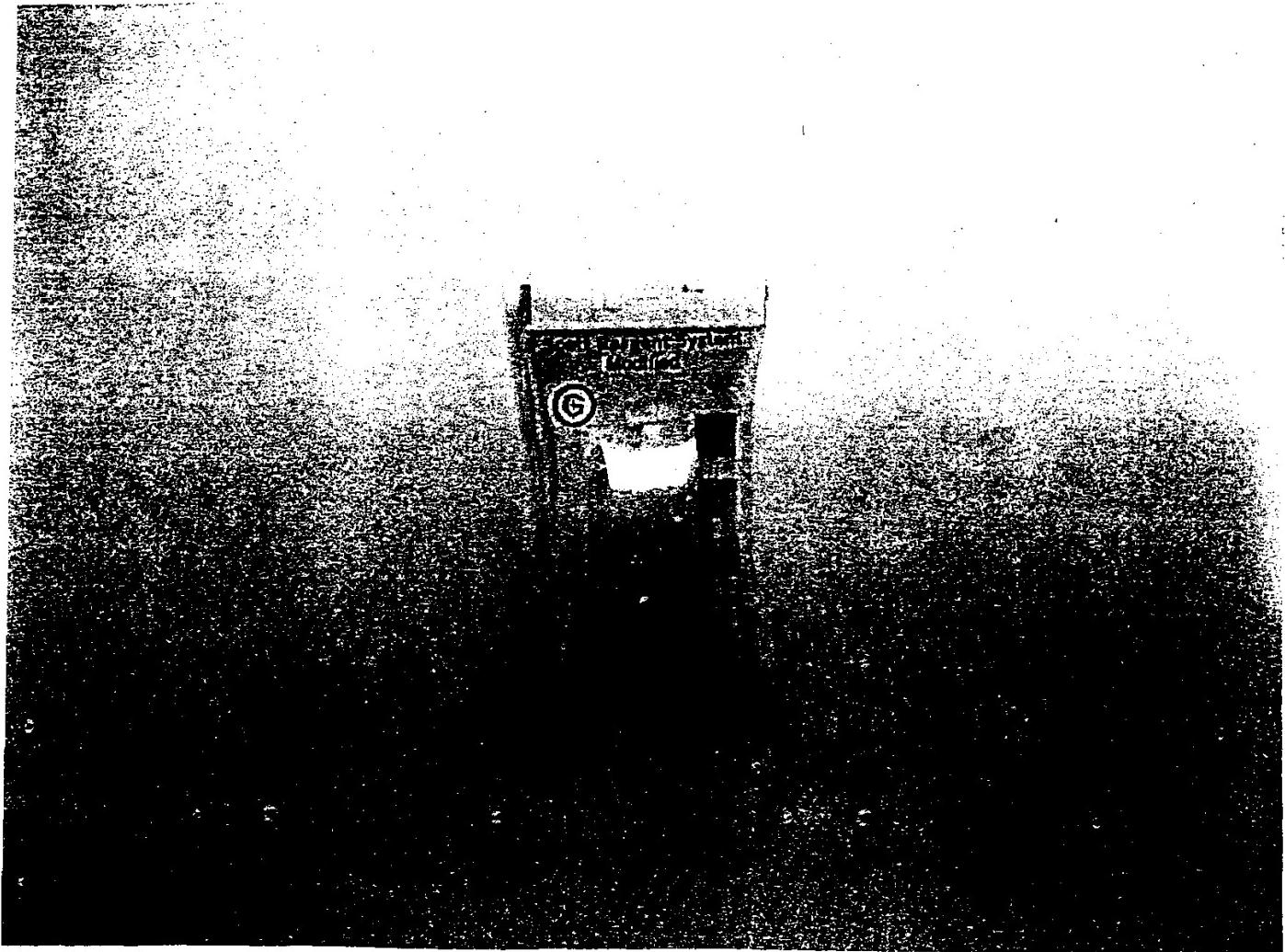














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**COMMONWEALTH OF  
PENNSYLVANIA**

**COUNTY OF YORK**

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody.

**DOB:** 5/18/62

(Name): Tyrone P. James

(Address): 565 W. Market St.,  
York, Pa. 17404

If the defendant be found in said Commonwealth, and bring the defendant before us at

D.J. Vera Hailman

28 Northbrook Dr. Suite D

Shrewsbury, Pa. 17361

Ph. 227-0688

to answer the Commonwealth or York City Police Dept

upon the complaint or citation of R. Peddicord #197

charging the defendant with A 30 PWI to Del Cocaine

and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this

12 day of Jan, 1998 01.

**SEAL**

(Signature)

Amount required to satisfy

Citation No.:

**FILED:** 1/12/01

Docket No.:

OTD F 201480-6  
Amount needed to satisfy collateral: \$

Reason for warrant:

**RETURN WHERE DEFENDANT IS FOUND**

**WARRANT OF ARREST**

**WARRANT CONTROL NO.: ROL 1936382 82**

**DOCKET NUMBER: IBER:**

I took into custody the within named

He is now at liberty on bail posted

before \_\_\_\_\_

in the \_\_\_\_\_

jail.

**OFFENSE DATE** 1/10/01 10/01

**CHARGE** 901-A Count Attorney Ste.  
A 30 PWI To Del Cocco

I acknowledge that I am voluntarily and knowingly pleading guilty. I paid guilty to the officer the fine and costs stand cost in the warrant in the amount of \$

**(Defendant's Signature)**

I acknowledge that I am voluntarily and knowingly pleading not guilty. I not paid to the officer the collateral for collateral my appearance at trial stated in the state warrant in the amount of \$

**(Defendant's Signature)**

I acknowledge that I am voluntarily and knowingly pleading not guilty. I not paid to the officer the collateral for collateral my appearance at trial stated in the state warrant in the amount of \$

**(Defendant's Signature)**

After careful search, I cannot find the within named defendant

**Officer's costs:**

Miles @ \_\_\_\_\_ c \_\_\_\_\_

Commitments \_\_\_\_\_ c \_\_\_\_\_

Conveying to hearing \_\_\_\_\_ c \_\_\_\_\_

Miles @ \_\_\_\_\_ c \_\_\_\_\_

Total \_\_\_\_\_

## Commonwealth of Pennsylvania

COUNTY OF York

APPLICATION FOR  
SEARCH WARRANT  
AND AUTHORIZATION

Docket Number: \_\_\_\_\_ Police Incident Number: \_\_\_\_\_ Warrant Control Number: 3695-A  
(Issuing Authority): \_\_\_\_\_

Robert W. Kessler, Detective York Co.Detectives 717-771-9600 1-10-2001

AFFIANT NAME: \_\_\_\_\_ AGENCY: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_ DATE OF APPLICATION: \_\_\_\_\_

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Marijuana a schedule I controlled substance, Cocaine a schedule II controlled substance,  
**AND OTHER CONTROLLED SUBSTANCES**

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

A UPS box shipped to D.W. Advertising Co., Ste 248, 644 Shrewsbury Common Ave., Shrewsbury, Penna., from American Printing Co., Postal Annex, 909-340-3896, 261 S. Lincoln St., Corona, Calif. 92882. Shipment ID #2332, Package ID #2332. Approximate weight 5.5 pounds.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Tyrone James

VIOLATION OF (Describe conduct or specify statute):

The Controlled Substance, Drug, Device and Cosmetic Act as amended Act 64, section 13,a,30

DATE(S) OF VIOLATION:

1-10-2001

**Warrant Application Approved by District Attorney – DA File No.**

If DA approval required per Pa.R.Crim.P. 2002A with assigned File No. per Pa.R.Crim.P. 107)

**Additional Pages Attached (Other than Affidavit of Probable Cause)**

**Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: \_\_\_\_\_**

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

*Robert W. Kessler*

York County Detectives

59

Signature of Affiant

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 10<sup>th</sup> day of JAN 2001, Mag. Dist. No. 19-3-06

*Robert W. Kessler*

301 N. Main St. York, Penn. 17371 (SEAL)

Signature of Issuing Authority

Office Address

## SEARCH WARRANT

TO LAW ENFORCEMENT  
OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:\*

This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: \*\*

M, o'clock 19

\* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 2005(d).

\*\* If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 2006(g).

Issued under my hand this 10<sup>th</sup> day of JAN. 2001 at 7:18 P. M, o'clock.

*Robert W. Kessler*

19-3-06

1/12/2006 (SEAL)

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority:  District Justice  Common Pleas Judge

For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for \_\_\_\_\_ days by my certification and signature. (Pa.R.Crim.P. 2011)

(Date) (SEAL)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

PPC 110A-02-05-99

My signature and signature. (Pa.R.Crim.P. 2011)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania

AFFIDAVIT OF  
PROBABLE CAUSE

COUNTY OF York

Docket Number  
(Issuing Authority):Police Incident  
Number:Warrant Control  
Number: 3695-APROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

On 1-10-2001 Agent James Morgan, Office of Attorney General, Bureau of Narcotics Investigation received information from California Authorities that they intercepted a package containing over nine pounds of marijuana destined for Ste 164, Mailboxes Etc, 2536 Eastern Blvd., York, Penna. A check with the personnel at Mailboxes Etc, 2536 Eastern Blvd., York, Penna. revealed that a Tyrone James rented Ste #164. Officers replicated the box that California intercepted and placed same inside the Mailboxes Etc in the morning hours of 1-10-2001. Shortly thereafter a Tyrone James appeared at this location and took possession of the replicated box. He was immediately arrested and was found to be Tyrone James. Agent James Morgan checked other Mailboxes Etc to ascertain if Tyrone James rented other mailboxes. Morgan located a Mailbox #Ste 248 at the Mailboxes Etc located at 644 Shrewsbury Common, Shrewsbury, Penna. A check with the manager, Donna Lynn, revealed that Tyrone James rented box #248 and that a package from California had arrived this date for him. As a result this officer met with Morgan and shortly thereafter with K-9 officer Sean Rohrbaugh and his K-9 "Falco" A total of six boxes were placed on the floor inside Mailboxes Etc in Shrewsbury and "Falco" a certified narcotics dog alerted on the package addressed to D.W. Advertising, Ste #248, which is rented by Tyrone James. This alert is indicative of controlled substances being inside the package.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

1-10-2001

(SEAL)

Page 1 of 2 Pages

TRUE AND CURRENT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Defendant's Name:	Tyrone Phillip James
CR-25-01-400	
Docket Number:	

**POLICE  
CRIMINAL COMPLAINT**

LTN L 080216-3

**AFFIDAVIT of PROBABLE CAUSE**

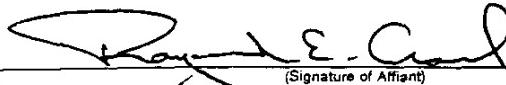
This Affiant received information from Agent Randy Sipes of the California Department of Justice, that he intercepted a parcel at the Mail Boxes Etc. in California, and that the parcel contained approximately 9 1/2 pounds of Marijuana. Agent Sipes stated that he field tested that parcel and it tested positive for Marijuana. He relayed that the parcel was destined for an address in York, Pennsylvania, specifically EXPRESSIONS EXPRESS 2536 Eastern Blvd Suite 164, York, Pennsylvania 17402. He relayed that the parcel was dropped off by a Latino Female, and that the parcel was being shipped via United Parcel Service.

This Affiant then checked the address in York, Pennsylvania and learned that it was the address for Mail Boxes Etc. 2536 Eastern Blvd York, Pennsylvania 17402 and the Suite 164 is actually box 164.. This Affiant and Agent James Morgan, PA Office of Attorney General Bureau of Narcotic Investigation and Drug Control, then responded to The United Parcel Services Terminal in York, and prepared a make shift parcel , similar to the one that was to be shipped to the address in York. This Affiant and Agent Morgan then responded to the Mail Boxes Etc at 2536 Eastern Blvd. York, Pennsylvania and spoke with the personnel at the store. This Affiant learned EXPRESSIONS EXPRESS belonged to the defendant TYRONE PHILLIP JAMES and that he rented the box since October of 2000. This Affiant also learned that the defendant has received at least 5 different parcel at that location between October and present. This Affiant learned that the parcels are always signed for and picked up by the defendant. This Affiant learned that the personnel at the business are familiar with the defendant and had documentation of him picking up the parcels.

This Affiant learned that the parcel, which was intercepted in California, was due in York, Pennsylvania on 1-10-01. This Affiant and members of the York County Drug Task Force and Office of Attorney General Bureau of Narcotics then setup surveillance in the area of Mail Boxes Etc. 2536 Eastern Blvd. York, Pennsylvania.. This Affiant and Agent Morgan left the make shift parcel at the business and waited for the defendant to arrive. On 1-10-01 at approx. 10:35 am the defendant arrived at the Mail Boxes Etc. and took possession of the parcel. This Affiant and members of the York County Drug Task Force and Office of Attorney General Bureau of Narcotics approached the defendant and identified themselves. The defendant then threw the parcel and ran. After a brief chase the defendant was taken into custody. The defendant was transported to the York City Police Department where he was processed and read his Miranda Warnings. The defendant admitted to Agent Morgan that he took a plane from California on 1-9-01, in the pm, and he arrived at the Harrisburg International Airport at approx. 5:05 am. He then obtained a rental vehicle and drove to York, Pennsylvania. The original parcel was forwarded to the LeMoyne office of the Pennsylvania Office of Attorney Generals Office Bureau of Narcotic Investigation and Drug Control. The parcel was then secured in the Regional Evidence Room for transportation to the PSP Crime Lab.

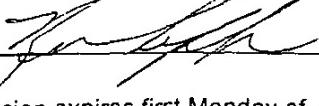
For the above reasons, I request a warrant be issued.

I, Raymond E. Cral, BEING DULY SWORN ACCORDING TO LAW,  
DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE  
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.



(Signature of Affiant)

Sworn to me and subscribed before me this 10<sup>th</sup> day of JAN, 2001.



, District Justice

My commission expires first Monday of January, 2006.

DUTY 19-3-06 SEAL

END REPORT

COPY

PENNSYLVANIA POLICE K-9 ASSOCIATION  
Certification

awarded to

K-9 Dukon

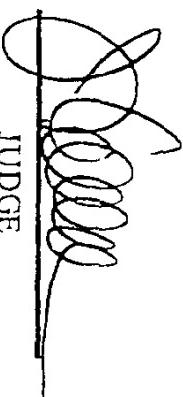
&

Captain Michael Buono

Parrotics Detection

Butt County Prison

June 3, 2000



JUDGE



Michael Buono

TRIAL CHAIRMAN



331

A COPY OF THIS FORM, WHEN COMPLETED, IS TO BE ATTACHED TO EACH COPY OF THE SEARCH WARRANTS/AFFIDAVIT

## **Commonwealth of Pennsylvania**



**RECEIPT / INVENTORY  
OF SEIZED PROPERTY**

**COUNTY OF York**

Docket Number (Issuing Authority):	Police Incident Number:	Warrant Control Number: 3695-A
Date of Search: 1-1-0-2001	Time of Search: <b>7:30 PM</b>	Inventory Page Number: <b>1 of 1 Pages</b>
Robert W. Kessler	28 E. Market St., York, Pa. 17401	59

Affiant

*Agency or Address if private affiant*

Badge No.

The following property was taken / seized and a copy of this Receipt / Inventory with a copy of the Search Warrant and affidavit(s) (if not sealed) was

- personally served on (name of person) \_\_\_\_\_  
 was left at (describe the location) \_\_\_\_\_

I/we do hereby state that this inventory is to the best of my/our knowledge and belief a true and correct listing of all items seized, and that I/we sign this Receipt / Inventory subject to the penalties and provisions of Title 18 Pa.C.S. 4904(b)--Unsworn Falsification to Authorities.

*Solomon Kessler* Robert W Kessler DTF 59  
Signature of person issuing Receipt / Inventory Printed Name Affiliation Badge No.  
Signature of person issuing Receipt / Inventory Printed Name Affiliation Badge No.

*[Signature or person issuing Receipt / Inventory] \_\_\_\_\_ Printed Name \_\_\_\_\_ Affiliation \_\_\_\_\_ Badge or Title \_\_\_\_\_  
James H. M. - James H Morgan QAS 273*

Signature of Witness Printed Name Affiliation Badge or Title  
Robert W. Kessler Robert W. Kessler RTF 59

Diameter of nucleus maximum. Length  
approximately 0.005 mm., including nucleus.

**YORK COUNTY DRUG TASK FORCE  
28 EAST MARKET ST. YORK, PA 17401**

**SUPPLEMENT REPORT**

**DEPARTMENT:** York County Drug Task Force

**CASE OFFICER:** Rick Peddicord and James Morgan

**DEFENDANT:** Tyrone James

**DATE AND TIME:** 1-10-2001 @ 1930

**LOCATION:** Mailbox Etc., Shrewsbury & Springetts PD

**ARREST:**

**SEARCH WARRANT:**

**SURVEILLANCE:**

**ELECTRONIC SURVEILLANCE:**

On this date I met with Agent James Morgan, O.A.G., B.N.I., after he notified me that a drug suspect, Tyrone James, had a package at the Mailbox Etc. store in Shrewsbury. James had been arrested earlier in the day at Mailboxes Etc. in Springettsbury Twp., for picking up a box which had been shipped to him that contained a large quantity of marijuana (the box he picked up was not the box containing marijuana but one which resembled the original box). Once I arrived at the Mailbox Etc. store in Shrewsbury Morgan told me that the box had been sent to D. W. Advertising, Ste 248, 644 Shrewsbury Common Ave., Shrewsbury (Milbox Etc. store) and that the person renting Ste 248 was Tyrone James. As a result we notified Officer Sean Rohrbaugh and his drug detection certified K-9 Falco to respond. A short time later Rohrbaugh and Falco arrived and the K-9 checkled six boxes which we placed on the floor. He alerted on the package addressed to D.W. Advertising. As a result I took the package to the TFO and prepared a search warrant to open same. I traveled to the magistrate duty office and presented the search warrant to Magistrate Leppo who, after reading the affadavit, issued the searach warrant. I then took and package and search warrant to Springettsbury PD where I met with Morgan and Det. Ray Craul. In their presence the box was opened. It contained a second smaller box which when opened contained a third smaller box. Inside this box,wrapped in plastic and balck duck tape was a large quantity of cocaine. A fiend test by Craul proved positive for cocaine. The package was placed into evidence by Craul at Springettsbury PD.I prepared a receipt/inventory noting what was seized from the box and sent same, via office mail, to Magistrate Leppo.

REPORTING OFFICER	SIGNATURE
Detective Robert W Kessler	
DATE: 1-10-2001	

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

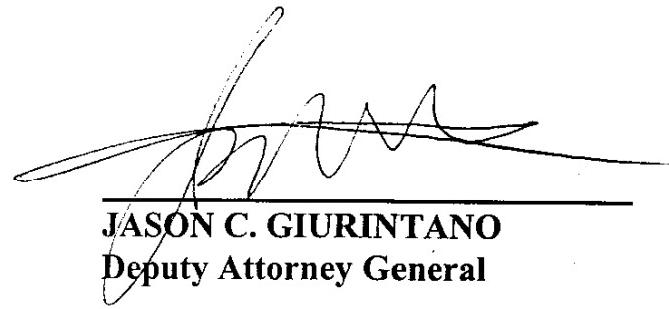
<b>TYRONE P. JAMES,</b>	:	
	<b>Plaintiff</b>	:
		<b>No. 1:CV-01-1015</b>
<b>v.</b>	:	
		<b>(Judge Kane)</b>
<b>YORK COUNTY POLICE</b>	:	<b>(Magistrate Judge Mannion)</b>
<b>DEPARTMENT; AGENT JAMES H.</b>	:	
<b>MORGAN; DET. RICHARD</b>	:	
<b>PEDDICORD; DET. RAYMOND E.</b>	:	
<b>CRAUL; SGT. GENE FELLS; DET.</b>	:	
<b>ROBERT KESSLER; DET. ANTHONY</b>	:	
<b>GLOWCZEWSKI; AGENT RANDY</b>	:	
<b>SIPES; and AGENT BRIAN</b>	:	
<b>WESTMORELAND</b>	:	
	<b>Defendants :</b>	

**CERTIFICATE OF SERVICE**

I, Jason C. Giurintano, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on October 24, 2003, I served a true and correct copy of the foregoing Defendants' Response to Plaintiff's Request for Production of Documents, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

**Tyrone P. James, EX-9451  
SCI-Rockview  
P.O. Box A  
Bellefonte, PA 16823**

**Donald L. Reihart  
Law Office of Donald L. Reihart  
2600 Eastern Blvd., Suite 204  
York, PA 17402**



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**JASON C. GIURINTANO**  
Deputy Attorney General